

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

CHARLES WAGGONER,)
)
)
Plaintiff,)
)
)
vs.) No. CIV-14-801-C
)
)
SHERRY HUTCHINSON, et al.,)
)
)
Defendants.)

O R D E R

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Charles B. Goodwin, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Goodwin entered a Report and Recommendation on October 20, 2014, in which he recommended vacating the in forma pauperis Order and requiring Plaintiff to pay the full filing fee. See 28 U.S.C. § 1915(g). Plaintiff has timely objected. The Court therefore considers the matter de novo.

In his objection, Plaintiff argues he has only two strikes and that he is, in fact, in imminent danger of serious physical injury. Neither argument is supported by either fact or law. The Court finds the conclusions of the Magistrate Judge are correct and supported by law.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, vacates the Order of August 29,

2014 (Dkt. No. 11), to the extent the Order granted Plaintiff's request to proceed without full prepayment of the filing fee; revokes Plaintiff's in forma pauperis status; and orders Plaintiff to pay the remaining balance owed on the full \$400.00 filing fee (i.e., \$330.05), or to show good cause for the failure to do so, within 21 days of this date.

IT IS SO ORDERED this 13th day of November, 2014.



ROBIN J. CAUTHRON
United States District Judge